IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

ORDER

S.B. CIVIL WRIT PETITION NO. 4897/2003

M/S. NURANI MARBLE INDUSTRY

Versus

AJMER VIDYUT VITRAN NIGAM LIMITED & ORS.

DATE OF ORDER : 24.10.2007

HON'BLE DR. VINEET KOTHARI,J.

Mr.V.K. Mathur, for the petitioner.
Mr.Ravi Bhansali, for the respondents.

BY THE COURT:

Heard learned counsel.

The matter pertains to amount due against the petitioner on account of power charges for the period in question.

Along-with the reply filed by the respondents, the respondents have produced Annexure R-3 an order dated 24.11.2003, in which the amount due from the petitioner has been assessed at Rs.2,55,738/- as final assessment.

Learned counsel for the petitioner submits that the petitioner is ready and willing to pay the said amount and does not want to enter into any further dispute with the respondent and therefore, reasonable time may be given to the petitioner for

payment of the said amount. He further submits that the said final assessment of the aforesaid amount was not separately communicated to the petitioner but it is only with the reply, copy of which was given to him on 24.04.2007 that he has come to know of this final assessment of amount against the petitioner.

In view of the facts and circumstances of the case, this writ petition is disposed of with the direction to the petitioner that he may deposit the finally assessed amount of Rs. 2,55,738/- within the period of six weeks from today, after adjustment of the amount already deposited by the petitioner in this matter. It is clarified that the petitioner would not pay any interest on the said final amount of Rs. 2,55,738/-.

Learned counsel for the petitioner submits that the petitioner has already deposited a sum of Rs. 1,92,000/- in this regard for the period in dispute. The said amount, subject to verification by respondents, would be adjusted against the demand now raised vide order dated 24.11.2003 (Annex. R-3).

With the aforesaid observations, the instant writ petition is disposed of.

No costs.

(Dr. VINEET KOTHARI) J.

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